THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17618 of 2006

ORDER:

This writ petition is filed seeking Mandamus declaring the Tender Notification dated 10.8.2006 issued by the third respondent calling for fresh tenders for different regions as arbitrary and illegal.

The case of the petitioners is that all of them belong to Scheduled Caste community and they have been advanced loans by the second respondent and pursuant to the same, they have purchased certain vehicles and the same were utilized for transportation of essential commodities by the third respondent on the recommendation of the first respondent-Joint Collector. Likewise, they have been transporting scheduled commodities eking out their livelihood and paying instalments to the second respondent. They were permitted to do the same upto 31.3.2005. Since no work is provided by the third respondent, they are not able to pay the instalments, therefore, their vehicles were kept idle with the second respondent itself. Now the respondents have issued the impugned notification calling for tenders for various regions of Kadapa district. If new persons are given contract pursuant to the tender declining petitioners, their livelihood will be at peril and further it would result in prejudice to the loan amount sanctioned by the second respondent to the petitioners.

Be that as it may, the contract granted in favour of petitioners expired on 31.3.2005, thereafter, the petitioners have not done any thing on their own and only when the present notification is issued on 10.8.2006, they have filed the present writ petition.

I am of the opinion that the petitioners have no legal right whatsoever to claim that they are entitled for renewal of their contract, which they had upto 31.3.2005, in view of the loans obtained by them

from the second respondent. However, if really the petitioners are granted loans for purchasing the vehicles by the second respondent for the purpose of transporting essential commodities in the District through the third respondent, it is always open for the first respondent-Joint Collector to examine the representations to be filed by the petitioners and recommend their case for being considered on preferential basis in view of the fact that earlier petitioners have been granted loans for purchase of vehicles, and their cases, in fact, were recommended for transporting essential commodities in the region.

In view of the above, the writ petition is disposed of directing the petitioners to make detailed representations before the first respondent-Joint Collector. On such representations, the Joint Collector shall consider the same within a period of one week thereof and direct the third respondent for allotment of contract in favour of the petitioners for any of the regions in Kadapa district on preferential basis to mitigate the financial conditions of the petitioners for having taken the loans and for eking out their livelihood. No order as to costs.

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C.V.RAMULU, J

Date: 23.8.2006
Note: Issue C.C. tomorrow.
B/o
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17618 of 2006

23.8.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.17618 of 2006

Dated: 23rd August, 2006

Between:

The Kadapa District Scheduled Castes

Tractors and Motor Vehicles Driver-cum-
Owners Union, rep.by its Prsident & others.

.. Petitioners

and

The Joint Collector, Kadapa,
Kadapa district & others.

.. Respondents